

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864111, Visit us @ www.infocommpunjab.com,

Email: psic21@punjabmail.gov.in



Ravi Kumar, s/o Dharmendar Kumar,
H.No.107, Near Santpura,
Patiala Gate, Sangrur – 148001.

Versus

Public Information Officer,

o/o Executive Officer,

Municipal Council,

Sangrur.

First Appellate Authority,

o/o Deputy Director Local Government,

Patiala.

Appeal Case No. 2758 of 2019

PRESENT:

Ravi Kumar (Appellant) 93560-37575

Arjan Dev, Section Officer (for the Respondent) 98153-10653

ORDER:

(To be read in continuity with earlier orders on 4.9.19, 10.10.19, and 28.11.19)

1. The RTI application is dated **27.3.19** vide which the appellant has sought **information pertaining to a Municipal Council vehicle (PB13-22-6978)**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **95.19** and second appeal was filed in the Commission on **30.7.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **28.11.19**.

2. Both parties are present. The respondent PIO, represented by Arjan Dev, Section Officer, submitted a copy of the Municipal Corporation's resolution no. 281/17 dated: 30.3.2011, whereby the vehicle purchased from the MPLAD Funds of the then MP, Sh. Sukhdev Singh Dhindsa was physically transferred to the Babu Nanak Chand Kalra Charitable Trust. It is evident however, that the said vehicle (Ambulance) is still registered in the name of Executive Officer, Municipal Council, Sangrur, and that the annual insurance etc. is also paid by the Municipal Council, Sangrur. As per the aforesaid resolution, the maintenance and fuel expenses pertaining to this vehicle is being borne by the afore mentioned trust.

3. At the last hearing of this appeal case on 28.11.19, the PIO-cum-EO Municipal Council Sangrur, Ramesh Kumar, was directed to appear in person with original record. He has failed to comply with that direction. This Commission now directs the EO, Municipal Council, Sangrur to submit a duly notarized Affidavit stating the factual position regarding the vehicle (Ambulance) purchased with Sh. Sukhdev Singh Dhindsa's MPLAD Funds.

4. **Next hearing on 26.3.2020 at 11.00 am.**

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh

30.1.2020

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Ravi Kumar,
s/o Dharmendar Kumar,
H.No.107, Near Santpura,
Patiala Gate, Sangrur – 148001.

Versus

Public Information Officer,
o/o Regional Transport Officer,
Sangrur.
First Appellate Authority,
o/o State Transport Commissioner, Punjab,
Chandigarh.

Appeal Case No. 2759 of 2019

PRESENT:

Ravi Kumar (Appellant) 93560-37575

Gurcharan Singh Sandhu, PIO-Cum-ATO (Respondent) 98140-69272

ORDER:

(To be read in continuity with earlier orders on 4.9.19, 10.10.19, and 28.11.19)

1. The RTI application is dated **18.2.19** vide which the appellant has sought information **regarding preferred vehicle registration numbers from 1.1.2012 to 18.2.19**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **26.3.19**, and second appeal was filed in the Commission on **30.7.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **28.11.19**.

2. Both parties are present. The respondent PIO-cum-ATO, Gurcharan Singh Sandhu, submitted a reply stating that the information requested at point 1 and 3 of the appellant's RTI application is available on the Transport Department Website. With regard to point 2, he contended that the information sought is too voluminous and requested that the appellant be asked to be more specific in his request for information.

3. The respondent PIO is directed to arrange for the appellant to inspect the record relevant to point 1 of the RTI application, on 13.2.2020 at 11:00 am.

4. It has also been pointed out that while imposing the penalty of Rs. 5,000.00 on the PIO-cum-Regional Transport Officer at the last hearing of 28.11.19, Gurcharan Singh Sandhu who is in fact the Assistant Transport Officer, was erroneously named as PIO-cum-RTO. In light of this freshly emerged fact, the penalty of Rs. 5,000.00 imposed on Gurcharan Singh Sandhu is set aside.

5. **Next hearing on 26.3.2020 at 11.00 am.**

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
30.1.2020

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Parmod Kumar Kalia,
H.No. 5775(Duplex),
Modern Housing Complex, Manimajra,
Chandigarh.

Versus

Public Information Officer,
o/o PUDA Bhawan,
Sector-62, S.A.S Nagar. (Mohali)
First Appellate Authority,
o/o AGM (HR) PUDA,
Sector-62, S.A.S Nagar. (Mohali)

Appeal Case No. 2764 of 2019

PRESENT:

Karambir Singh Chawla (for the Appellant) 92164-07700

Pramod Kumar Kalia (Appellant)

Jaswinder Singh, PIO-Cum-ATO (Respondent) 97795-77892

Simranjeet Kaur, Senior Assistant (for the Respondent) 97802-37400

ORDER:

(To be read in continuity with earlier orders on 4.9.19, 10.10.19, and 28.11.19)

1. The RTI application is dated **29.10.18** vide which the appellant has sought **information pertaining to assured career promotion benefits in 31 points**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **24.12.19**, and second appeal was filed in the Commission on **30.7.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **28.11.19**.

2. Both parties are present. The appellant, represented by his lawyer Karambir Singh Chawla, complained that when the appellant visited the office of respondent PIO for inspection of the record as per the directions of this Commission on 24.10.19, he was not given access to some of the record. He has pointed listed the specific deficiencies in the record shown to him.

3. The respondent PIO represented by PIO-Cum-ATO, Jaswinder Singh and Senior Assistant, Simranjeet Kaur, are present and have brought voluminous information (approximately 1500 pages) which have been attested by the Superintendent. However, there is no date affixed where the copies have been attested.

4. The respondent PIO is directed to affix a date where each page is attested and supply this to the appellant as early as possible.

5. The appellant is requested to carefully go through the furnished information and list any remaining deficiencies in writing to the respondent PIO and with a copy to this Commission.

6. **Next hearing on 26.3.2020 at 11.00 am.**

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh

30.1.2020

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Gagandeep Singh Janjua,
Village Tura, PO Kumbh, Tehsil Amloh,
District Fatehgarh Sahib.

Versus

Public Information Officer,
o/o Deputy Commissioner
SBS Nagar (Nawanshahar).
First Appellate Authority,
o/o Deputy Commissioner,
SBS Nagar (Nawanshahar)

Appeal Case No. 2781 of 2019

PRESENT:

(Appellant) Absent

Rajinder Kumar Chopra, Naib Sadar Kanugo-2 (for the Respondent) 79858-23590

ORDER:

(To be read in continuity with earlier orders on 5.9.19, 10.10.19, and 28.11.19)

1. The RTI application is dated **1.5.19** vide which the appellant has sought **information regarding the allotment of land to a dera at village Paddi Mathwali**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **1.5.19**, and second appeal was filed in the Commission on **31.7.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **28.11.19**.

2. The appellant is absent but has informed the Commission of his inability to attend this hearing.

3. Meanwhile, the respondent PIO, represented at this hearing by Naib Sadar Kanugo, Rajinder Kumar Chopra from the office of the Deputy Commissioner Jalandhar, has submitted that all the record pertaining to District SBS Nagar (Nawanshahar), which was created in 1995, has been handed over to the District Administration of Nawanshahar. He has appended a copy of a letter dated 28.3.2016, written by the then Deputy Commissioner Jalandhar to the District & Sessions Judge SBS Nagar. A quick perusal the aforesaid letter makes it amply clear that even though some old SBS Nagar district records are still located on the premises of the Deputy Commissioner at Jalandhar, the responsibility for producing the same in judicial courts (as also the State Information Commission) lies with the office of the Deputy Commissioner SBS Nagar.

The operative portion of the deputy Commissioner Jalandhar's Letter No. 18/CA dated 28.3.16 reads as under:

"It is requested that despite creation of New District called Shaheed Bhagat Singh Nagar, the Revenue as well as General record pertaining to Tehsil Nawanshahar (erstwhile part of District Jalandhar) is still lying in the respective record rooms of this office.

Contd....2

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Appeal Case No. 2781 of 2019

To shift the record a undersigned called a meeting on 16.03.2016 with the Additional Deputy Commissioner SBS Nagar and he apprised that at present they are still facing problem of scarcity of space and assured that the record will be shifted after the construction of the new DAC which may take approximately one year. Keeping in view the situation it was decided that henceforth record pertaining to Tehsil Nawanshahar lying in this office will be produced in the courts through the staff of DC Office SBS Nagar after obtaining from this office. It is therefore, requested that kindly issue the directions to the subordinate courts to issue of notice for production of records to the concerned official of the office of Deputy Commissioner SBS Nagar.”

4. The aforesaid letter would seem to suggest that not only have the PIO o/o Tehsildar Banga (to whom this RTI application was originally submitted) and PIO o/o Deputy Commissioner SBS Nagar (to whom the RTI application was transferred on the directions of this Commission on 10.10.19), been subjecting the appellant to harassment, but have also sought to mislead this Commission.

5. This Commission takes a very serious view of such questionable conduct and directs the PIO, office of Deputy Commissioner SBS Nagar, to make the necessary arrangements to retrieve the requested record from Jalandhar and supply to the appellant with a copy to this Commission. The PIO, office of Deputy Commissioner, Nawanshahar must also file a written reply to explaining why an attempt was made to mislead the Commission.

6. Next hearing on 26.3.2020 at 11.00 am.

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh

30.1.2020

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Aruna Devi,
w/o Bharat Bhushan Mattu,
322, Maskeen Nagar, PO Netaji Nagar, Salem Tabri,
Ludhiana.

Versus

Public Information Officer,
o/o Estate Officer, GMADA,
Mohali.
First Appellate Authority,
o/o Chief Administrator, GMADA,
Mohali.

Appeal Case No. 2842 of 2019

PRESENT:

(Appellant) Absent

Gulshan Kumar, PIO-Cum-AEO (Respondent) 88727-12984

ORDER:

(To be read in continuity with earlier order on 11.10.19 and 28.11.19)

1. The RTI application is dated **6.5.19** vide which the appellant has sought **information pertaining to her complaint of 6.3.17 in six points**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **11.6.19**, and second appeal was filed in the Commission on **6.8.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **28.11.19**.

2. The appellant is absent but has informed the Commission of her inability to attend this hearing. The respondent PIO-cum-AEO, Gulshan Kumar, has appeared in person contending that the requested information was sent to the appellant by Registered Post on 6.11.19. However, in a letter received in this Commission on 17.1.2020, the appellant has once again contended that she has received no information in response to her RTI application.

3. Under the circumstances, this Commission, directs the respondent PIO to submit a copy of reply sent to the appellant on 6.11.19 along with copies of information supplied to her. The PIO is also to submit a written reply explaining the delay in addressing this RTI request.

4. **Next hearing on 26.3.2020 at 11.00 am.**

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
30.1.2020

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Baljinder Singh,
s/o Kartar Singh,
VPO Doraha, Tehsil Payal, District Ludhiana – 141 418.

Versus

Public Information Officer,
o/o Chief Agricultural Officer,
Fatehgarh Sahib.
First Appellate Authority,
o/o. Director, Agriculture & Farmers Welfare,
Mohali.

Appeal Case No. 2847 of 2019

PRESENT:

Baljinder Singh (Appellant)

Suninder Singh, Agricultural Development Officer (for the Respondent) 96466-67655

ORDER:

(To be read in continuity with earlier orders on 19.9.19, 30.10.19, and 13.12.19)

1. The RTI application is dated **12.4.19** vide which the appellant has sought **information agricultural subsidies and funds received etc.**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (**FAA**) and second appeal was filed in the Commission on **6.8.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **13.12.19**.

2. The appellant is absent without any intimation. The respondent PIO represented by ADO, Suninder Singh, has submitted an Affidavit that there is no information pertaining to this RTI application still pending in his office. Along with this, he has also submitted attested copies of information pertaining to the point no. 2 of the appellant's RTI application, which pointed out as deficient at the last hearing on 13.12.19.

3. The appellant is requested to collect the information submitted by the respondent today from the Commission at his convenience.

4. **Next hearing on 26.3.2020 at 11.00 am.**

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh
30.1.2020

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Ramandeep Singh Ahluwalia,

Ward No. 18, Street No. 2,

Kartar Nagar, Amloh Road,

Khanna – 141 401

Versus

Public Information Officer,

o/o Executive Officer, Municipal Council,

Mandi Gobindgarh.

First Appellate Authority,

o/o Regional Deputy Director,

Urban Local Government, 1st Floor,

Mini Secretariat, Ferozepur Road, Ludhiana.

Appeal Case No. 2933 of 2019

PRESENT:

Ramandeep Singh Ahluwalia (Appellant) 94645-00405

Sandeep Singh, Junior Engineer (for the Respondent) 75081-00568

Varinder Kumar, AME (for the Respondent) 79868-95089

ORDER:

(To be read in continuity with earlier order 18.10.19 and 5.12.19)

1. The RTI application is dated **25.2.19** vide which the appellant has sought **information by way of an inspection of the computer in the technical department**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on **9.8.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **5.12.19**.

2. Both parties are present. As per the directions of this Commission on 5.12.19, the respondent PIO represented at this hearing by Junior Engineer, Sandeep Singh and AME Varinder Kumar have submitted the requested information in a pen-drive since it is voluminous. The pendrive has been handed over to the appellant with the advice that he is carefully peruse the information thereon and apprise this Commission of deficiencies, if any.

3. **Next hearing on 26.3.2020 at 11.00 am.**

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh

30.1.2020

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Ramandeep Singh Ahluwalia,

Ward No. 18, Street No. 2,

Kartar Nagar, Amloh Road,

Khanna – 141 401

Versus

Public Information Officer,

o/o Executive Officer, Municipal Council,

Mandi Gobindgarh.

First Appellate Authority,

o/o Regional Deputy Director,

Urban Local Government, 1st Floor,

Mini Secretariat, Ferozepur Road, Ludhiana.

Appeal Case No. 2934 of 2019

PRESENT:

Ramandeep Singh Ahluwalia (Appellant) 94645-00405

Sandeep Singh, Junior Engineer (for the Respondent) 75081-00568

Varinder Kumar, AME (for the Respondent) 79868-95089

ORDER:

(To be read in continuity with earlier order 18.10.19 and 5.12.19)

1. The RTI application is dated 5.5.19 vide which the appellant has sought **information regarding contracts, works and details of quality-testing etc.**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on 13.8.19 under Section 19 of the Right to Information Act, 2005. The case was last heard on 5.12.19.

2. Both parties are present. As per the directions of this Commission on 5.12.19, the respondent PIO represented at this hearing by Junior Engineer, Sandeep Singh and AME, Varinder Kumar have submitted the requested information in the form of duly attested photocopies. This has been handed over to the appellant who is advised to carefully peruse the information thereon and apprise this Commission of deficiencies if any.

3. **Next hearing on 26.3.2020 at 11.00 am.**

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh

30.1.2020

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Krishan Kumar Singla,

195/2, Sector 45-A,

Chandigarh.

Versus

Public Information Officer,

o/o Secretary to Govt. of Punjab,

Department of General Administration,

(Secretariat, Establishment-1 Branch),

Punjab Civil Secretariat-1, Chandigarh.

First Appellate Authority,

o/o Secretary to Govt. of Punjab,

Department of General Administration,

(Secretariat, Establishment-1 Branch),

Punjab Civil Secretariat-1, Chandigarh.

Appeal Case No. 3899 of 2019

PRESENT:

Krishan Kumar Singla (Appellant) 98784-49195

Vikram, Senior Assistant (for the Respondent) 98034-02425

ORDER:

1. The RTI application is dated **8.7.19** vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on **18.10.19** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **30.1.2020**.

2. Both parties are present. The respondent PIO, represented by Vikram, Senior Assistant, submitted that all the information except that requested at points 1, 2, and 7 of the RTI application, have been given to the appellant. The appellant too acknowledged receipt of the information pertaining to seven of the ten points of his RTI application.

3. The respondent stated that some confusion with regard to the information requested at point 7, has now been clarified and the information would be furnished at the earliest.

4. The respondent PIO is also directed to search for the information requested on points 1 and 2, which as per the appellant's contention, ought to be in the Secretariat, Establishment-1 Branch.

5. **Next hearing on 26.3.2020 at 11.00 am.**

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh

30.1.2020

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Jasbir Singh,

Village Bholapur, Jhabewal,
Post Office Ramgarh-123455,
District Ludhiana.

Versus

Public Information Officer,

o/o Deputy Commissioner,
Ludhiana.

Public Information Officer,

o/o Commissioner of Police,
Ludhiana.

First Appellate Authority,

o/o Commissioner of Police,
Ludhiana.

Appeal Case No. 3996 of 2019

PRESENT:

Jasbir Singh (Appellant) 98882-96107

Pardeep Bhatti, Clerk (for the Respondent) 99881-10640

ORDER:

1. The RTI application is dated **26.7.19** vide which the appellant has **sought information pertaining to the action, copies of noting portion of the file dealing with the appellant's application submitted to the Deputy Commissioner Ludhiana on 4.7.19,** as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on **24.10.19** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **30.1.2020**.

2. Both parties are present. The respondent PIO, represented by Pardeep Bhatti, clerk, submitted that the application regarding which the appellant sought information, was transferred to the office of the Commissioner Police, Ludhiana vide Letter No. 5511/FA, dated 16.7.19 and that the appellant was informed on 8.11.19 that he should direct his request to the office of the Police Commissioner.

3. As per the RTI Act, this RTI application ought to have been transferred under Section 6(3), to the office of Commissioner of Police, Ludhiana, within five days of receipt.

4. The respondent PIO, office of Deputy Commissioner, Ludhiana is directed to transfer this RTI application under Section 6(3) to the PIO office of Commissioner of Police, Ludhiana at the earliest, and under intimation to this Commission and as well as the appellant.

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Appeal Case No. 3996 of 2019

5. This order be marked to PIO, office of Commissioner of Police, Ludhiana.

6. **Next hearing on 26.3.2020 at 11.00 am.**

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh

30.1.2020

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Sat Prakash Goyal,

2-C, Sarbaha Nagar, Nav Durga Mandir,

Gurudwara Road,

Ludhiana – 141 001

Versus

Public Information Officer,

o/o Commissioner of Police,

Ludhiana.

Complaint Case No. 665 of 2019 (Video Conference Proceedings)

PRESENT:

Davinder Pal Sood (for the Complainant) 98776-38284

Pardeep Singh, Sub Inspector (for the Respondent) 98725-10548

ORDER:

(To be read in continuity with earlier orders 6.9.19, 17.10.19, and 5.12.19)

1. The complainant, **Sat Prakash Goyal**, filed this RTI application dated **8.3.19** and sought **information pertaining to retired Director (Documents) Forensic Science Laboratory Punjab, Balwinder Singh Bhandal's Cross Examination of 20.2.19 with reference to FIR No. 94 dated 1.4.2006 and IPC Case No. CHI/41273 titled as "State vs Sat Prakash Goyal"**, as enumerated in his RTI application. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **29.7.19**. The case was last heard on **5.12.19**.

2. Both parties are present through Video Conference at National Informatics Centre (NIC) facility at the office of Deputy Commissioner, Ludhiana. The respondent PIO, represented at this hearing by Sub Inspector Pardeep Singh, submitted that the challan in the case pertaining to which this RTI application was filed was submitted to the Judicial Courts in 2006, and that the information requested, is not in the custody of the Police Station Division No. 5, Ludhiana.

3. Under the circumstances, this Commission directs the respondent PIO to submit duly notarized Affidavit stating that the requested record is not available in his custody.

4. **Next hearing on 28.2.2020 at 1.00 pm through Video Conference Facility in the office of Deputy Commissioner, Ludhiana.**

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh

30.1.2020